

CITY OF CENTRAL

BY COUNCIL MEMBER LOBUE

ORDINANCE NO. 2014-_____

TO AMEND THE CITY OF CENTRAL COMPREHENSIVE ZONING CODE

BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1: Chapter 13, Section 13.9, Paragraphs B and C are hereby amended removing the several struck-through “300”s and replacing them with “500” to read as follows:

- B. Mailed Notice.** Each application for a Variation, Conditional Use or Amendment shall also provide notice of the required public hearing by U.S. mail, sent not less than 20 days in advance of the hearing, to the Commission staff and all owners of real property, within ~~300~~ 500 feet of the boundaries of the land upon which a zoning application is requested. The Applicant shall provide the Commission staff with proof of the required mailing (consisting of a Certificate of Mailing from the U.S. Postal Service or delivery receipt) for each notice at least two days prior to the public hearing. The failure to timely provide this proof shall cause the application to be deemed incomplete and prevent the Zoning Commission from considering the application. For the purpose of notice requirements to property owners, the names and addresses of such owners shall be deemed to be those on record in the East Baton Rouge Parish Assessor’s records. Failure of owners to receive this mailed notice shall in no way not affect the validity of any action taken at the hearing.
- C. Public Participation Program.** In addition to the requirements of paragraphs A and B above, Applicants for approval of a Planned Unit Development (“PUD”), including a Traditional Neighborhood Development (“TND”) shall complete the two-part Public Participation Program outlined herein to enhance dialogue between Applicants and individuals which could be impacted by the proposed development prior to the public hearing.
1. Part One of the process is the filing of a plan on the Public Participation Form (Form A) simultaneously with the application requesting approval of a PUD preliminary plat. The Public Participation Plan shall include the following:
 - a. Identification of all property owners within ~~300~~500 feet of the site and area homeowners’ associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the Applicant and the City staff at the time of the pre-application conference.

- b. Explanation of how the interested parties will be informed of the proposed development. If notice to property owners within 300~~500~~ feet required by this Section will be performed by mail, the notice required in Subsection B of this Section can be included with this notice provided the proof of mailing required by Subsection B of this Section is provided.
- c. Methods of providing opportunities for discussion with interested parties before public hearings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties, as identified above, of the purpose, place, and time of the meeting.

Section 2: Chapter 19, Section 19.1, Paragraph 3 is hereby amended removing the struck-through “300” and replacing it with “500”as follows:

- 3. **Location.** Adult uses may be located in B-3, B-4, B-5 and O,R&D districts (unless such property is planned for residential or low density B-1 and B-2 commercial uses) provided that no adult uses shall be located within 1,000 feet of any property zoned, used or planned for residences, churches, schools, parks or another adult use. Further, no adult use shall be permitted to operate within 300~~500~~ feet of the centerline of Greenwell Springs, Hooper, Joor, Sullivan, Wax/Magnolia Bridge Roads or Central Thruway.

Section 3: Chapter 7, Section 7.2, Paragraph 7 is hereby amended to read as follows:

- 7. Communications Towers **in accordance with the height and locational requirements in Section 19.4.**

Section 4: Chapter 19 is hereby amended adding a new Section 19.4 as follows:

19.4 Communications Towers

A Communications Tower may be approved as a Conditional Use only if it meets the following criteria:

- 1. **Location.** Communications Towers may be located in B-2, B-3, B-4, B-5, R/A and O, R & D districts provided that no Communications Tower shall be located within 500 feet of an R-1, R-2 or R-3 district or an existing residence in an R/A district. Further, no Communications Tower shall be located within 300 feet of the centerline of Greenwell Springs, Hooper, Joor, Sullivan, Wax/Magnolia Bridge Roads or Central Thruway.
- 2. **Height.** Not greater than 500 feet (to the top of any appurtenance). However, if within 1000 feet of any property zoned R-1, R-2 or R-3 or an existing residence in an R/A district, not greater than 200 feet in height (to the top of any appurtenance).

3. Setbacks. A Communications Tower must be setback at least its height from all lots lines.

Section 5: Conflicts

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 6: Severability

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Reviewed by the Planning Commission on this ____ day of _____, 2014.

Introduced before the Council on this ____ day of May, 2014.

Notice of public hearing before the Council was published in The Advocate on the ____ day of _____, 2014.

Adopted by the Council this ____ day of May, 2014 by a vote of:

YEAS:

NAYS:

Signed this ____ day of _____, 2014.

Shelton "Mac" Watts, Mayor

Attest:

Mark Miley, City Clerk

Adopted ordinance published in The Advocate on the ____ day of _____, 2014.

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